IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.465 OF 2007

1.Arun Vasant Jawalkar,
2.Vasant Laxman Jawalkar,
3.Sunil Vasant Jawalkar,
4.Dattatraya Bhairappa Charate. ..Applicants.

Versus

The State of Maharashtra ...Respondent.

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Mr.V.V.Purwant, Adv. for Applicants.
Mrs.A.S.Pai, APP, for State.

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CORAM : SMT.V.K.TAHILRAMANI,J.

DATED : 22nd March, 2007.

P.C.:

1. Heard the learned Advocate for the Applicants and the learned APP for the State.

2. The applicant are seeking bail in CR No.74 of 2006 of Salgar Vasti Police Station. The said C.R. is under Section 302 of IPC.

3. It is the prosecution case that deceased Pramila was married to applicant No.1. Applicant No.2 is the father of applicant No.1, applicant No.3 is the brother of applicant No.1 and

applicant No.4 is the husband of sister of applicant No.1. It is the prosecution case that all the applicants poured kerosene on Pramila and set her on fire.

4. Mr.Purwant, the learned Advocate for the applicants has stated that as far as applicant No.4 is concerned he was not residing in the same house as the other applicants; and he was residing separately in the said village. Mr.Purwant has further pointed out that as far as applicant Nos.2,3 & 4 are concerned, neither the complainant nor any of the witnesses have made any allegations against any of these applicant Nos.2,3 & 4. All the allegations appear to be against applicant No.1 and his mother (non applicant). The learned APP also was unable to point out any material against applicant Nos.2,3 & 4. In this view of the matter, I am inclined to grant bail to applicant Nos.2,3 & 4 only.

5. As far as applicant No.1 is concerned, the complainant and other witnesses have stated that Pramila had informed them that her husband i.e. applicant No.1 and her mother-in-law used to beat

her. Thus, it is seen that the allegations, as far as present applicants are concerned, are only against applicant No.1. Hence, I am not inclined to grant bail to applicant No.1.

6. In this view of the matter, applicant No.2 Vasant Laxman Jawalkar, applicant No.3 Sunil Vasant Jawalkar and applicant No.4 Dattatraya Bhairappa Charate to be released on bail in the sum of Rs.20,000/- each with one or two sureties to make up the said amount. The applicant Nos.2,3 & 4 shall report to Salgar Vasti Police Station once in a fortnight.

7. Application is disposed of accordingly.

(SMT.V.K.TAHILRAMANI,J.)